

**DATE:** January 29, 2019

**TO:** Todd Wyett, Chairman  
State Transportation Commission

**FROM:** Paul C. Ajegba  
Director

**SUBJECT:** Waiver of Commission Approval

The project and description documented in Exhibit A, attached, is a contract between the Michigan Department of Transportation and the DTE Electric Company. This contract requires approval of the State Transportation Commission. The approximate 12-week delay resulting if Commission approval were deferred to the next State Transportation Commission meeting on April 18, 2019, would delay the transmittal of funds, and jeopardize construction schedules and transportation services.

Thus, a waiver of the required Commission approval is requested, as provided in Commission Resolution 79-3, as amended, footnote F:

“If, in the opinion of the Director, the public interest requires that a certain contract be awarded or an agreement be executed prior to approval by the Commission, hereunder, the Director shall seek a waiver of the required approval from the Chairman of the Transportation Commission. If the request of the approval is verbal, the waiver shall be confirmed, in writing, within fourteen (14) days.”

If the waiver is granted, the Department will proceed to execute the items noted above.

*Signed copy on file*

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Director

The request for waiver of Commission approval of the above-mentioned items are approved.

*Signed copy on file*

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Todd Wyett, Chairman

*February 4, 2019*

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Date

EXHIBIT A

REQUEST FOR MICHIGAN STATE TRANSPORTATION  
COMMISSION APPROVAL

CONTRACTS

January 29, 2019

The following contracts are being submitted for approval. The appropriate documents will be approved by the Attorney General and comply with all legal and fiscal requirements prior to award.

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CONTRACT

1. HIGHWAYS - Participation for Local Construction  
Amendatory Contract (2019-5044) between MDOT and DTE Electric Company will provide for funding participation in the following:

The purpose of this amendment is to provide authorization to DTE Electric Company for additional access to facilities within the Gordie Howe International Bridge (GHIB) plaza area, to add Quit Claim Deed and Termination and Release documents to Exhibit 1, to provide for payment to be made to DTE Electric Company within 60 days of receipt of billings, to add a clause that provides for no further relocation of electric and gas infrastructure, to add utility pole relocation work on Springwells Court, and to provide for revisions to Exhibits A and E.

The original contract provides for the relocation of electric and gas infrastructure located within the GHIB plaza area, including conduit and underground cable and circuits, as well as manholes, pipeline(s), mains, service laterals, drips, valves, regulators, fittings, meters, and other equipment and appurtenances.

Estimated Funds:

DTE Electric Company Funds	\$49,600,000
Windsor-Detroit Bridge Authority Funds	<u>\$30,000,000</u>
Total Funds	<u>\$79,400,000</u>

MX 82194 - 113716; Wayne County  
Local Construction

Upon receipt of your approval, the contracts and agreements will be processed for award. Subject to the exercise of the discretion in the processing, I approve the contracts described in this agenda and authorize the award by the responsible management staff of MDOT to the extent authorized by and in accordance with the December 14, 1983, resolution of the State Transportation Commission and the Director's delegation memorandum of September 25, 2018.

Respectfully submitted,

*Signed copy on file*

Paul C. Ajegba  
Director